## Annual 47 C.F.R. § 64.2009(e) CPNI Certification covering 2009

## EB Docket 06-36

**Name of company covered by this certification:** Aspen Telecommunications, LLC
**Form 499 Filer ID:** 823220
**Name of signatory:** Ray Scheppach
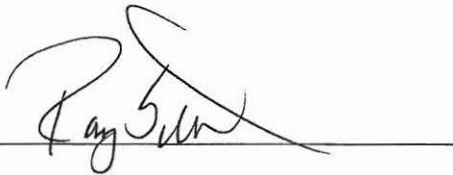**Title of signatory:** Managing Partner

I, Ray Scheppach, certify that I am an officer of the company named above, and acting as an agent of the company, that I have knowledge that the company has established operating procedures that are adequate to ensure compliance with the Commission's CPNI Rules. *See* 47 C.F.R. § 64.2001 *et seq.*

Attached to this certification is an accompanying statement explaining how the company's procedures ensure that the company is in compliance with the requirements set forth in section 64.2001 *et seq.* of the Commission's rules **(see attached statement)**.

The company has not taken any actions (proceedings instituted or petitions filed by a company at either state commissions, the court system, or at the Commission, against data brokers) against data brokers in the past year. Companies must report any information that they have with respect to the processes pretexters are using to attempt to access CPNI, and what steps companies are taking to protect CPNI.

The company has not received any customer complaints in the past year concerning the unauthorized release of CPNI (number of customer complaints a company has received related to unauthorized access to CPNI, or unauthorized disclosure of CPNI, broken down by category or complaint, *e.g.*, instances of improper access by employees, instances of improper disclosure to individuals not authorized to receive the information, or instances of improper access to online information by individuals not authorized to review the information).

Signed: _____

Date: _____2 - 15 -10_____

# Aspen Telecommunications, LLC

## STATEMENT OF COMPLIANCE WITH CPNI RULES

Aspen Telecommunications, LLC ("Aspen"), a subsidiary of Vail Systems, Inc., provides storage and networking solutions to businesses around the world. Aspen applies its technology, products and expertise in open storage networking architecture and business continuity to help companies build end-to-end solutions for data storage. As an integral part of providing these services, Aspen provides private line (all over lease lines from other carriers) telecommunications services to its customers.

Any questions regarding this policy or any use of CPNI should be directed to:

Ray Scheppach, Managing Partner
Aspen Telecommunications, LLC
570 Lake Cook Road, Suite 400
Deerfield, Illinois 60015
(800) 360-8245

Inquiries regarding any suspected violations by other carriers of the federal rules described in this policy should be directed to Ray Scheppach as well.

Currently, Aspen only provides one category of telecommunications service to its enterprise customers. As permitted by the CPNI rules, Aspen may use CPNI (1) to bill and collect for services rendered; (2) to protect rights or property of Aspen, other users or other carriers from unlawful use; (3) to provide any inbound telemarketing or administrative services for the duration of a call; (4) to provide customer premises protocol conversion; and (5) to provision inside wiring, maintenance and repair services.

Aspen has elected to utilize or provide CPNI only for purposes that are permissible without customer approval in accordance with 47 C.F.R. Section. 64.2006. Accordingly, Aspen currently does not use CPNI in a manner that requires customer approval and is not required to implement a system by which the status of a customer's CPNI approval can be established prior to the use of CPNI. In the event Aspen changes its marketing efforts in a way that requires the approval of customers before using CPNI, Aspen will implement policies and procedures and train employees to ensure compliance with all relevant FCC rules, including opt-in or opt-out authorizations.

Aspen does not share, sell, lease and otherwise provide CPNI to any unrelated third parties for the purposes of marketing any services. Sharing, selling, leasing or otherwise providing CPNI to any unrelated third parties is strictly prohibited by Aspen. Aspen is aware of its obligation to report any breach in CPNI policy. Records pertaining to breaches will be kept for at least two years.

Aspen tracks all instances where customers are contacted for marketing purposes and maintains records of all such contacts for at least one year. Aspen has established a supervisory review process to

ensure any marketing campaigns are consistent with the FCC's CPNI rules. Currently, Aspen does not use CPNI for any outbound marketing campaigns.

In order to prevent data broker or "pretexters" from illegally collecting CPNI information, Aspen will not release CPNI to customers during customer-initiated telephone contact except when the customer provides a password. If a customer does not provide a password, Aspen will either send it to an address of record or call the customer at the telephone of record. Aspen also requires mandatory password protection for online account access.

All Aspen employees who have access to CPNI are trained as to when they are and are not authorized to use CPNI. Employees are required to execute a Non-Disclosure Agreement which requires employees to maintain the confidentiality of all information obtained through their employment with Aspen or Vail (Aspen's parent company). Employees who violate the Non-Disclosure Agreement or otherwise permit the unauthorized use or disclosure of CPNI, will be subject to discipline, including possible termination.

Aspen did not have any breach of its call detail records during the past year, nor has the company received any customer complaints in the past year concerning the unauthorized release of or access to CPNI. Aspen has processes and procedures in place to maintain records of any security breaches and to notify affected carriers and law enforcement of such breaches. Finally, the company has no information, other than information that has been publicly reported, regarding the processes that pretexters or data brokers are using to attempt to access CPNI.